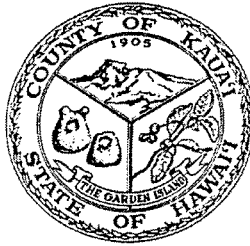


COUNTY COUNCIL

Jay Furfaro, Chair
JoAnn A. Yukimura, Vice Chair
Tim Bynum
Dickie Chang
KipuKai Kualifī
Nadine K. Nakamura
Mel Rapozo



OFFICE OF THE COUNTY CLERK

Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk

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Council Services Division
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M E M O R A N D U M

March 1, 2012

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair
SUBJECT: FEBRUARY 29, 2012, COUNCIL MEETING

This is to inform you of the action taken by the Council at its February 29, 2012 Council meeting and any follow-up that was requested:

CONSENT CALENDAR: RECEIVED FOR THE RECORD.

C 2012-57 Communication (02/10/2012) from the Chief, Building Division, transmitting for Council information, the Monthly Report on Building Permit Information for the month of January 2012, which includes the following:

- Building Permit Processing Report
- Building Permit Estimated Value Summary
- Building Permits Tracking Report
- Building Permits Status

C 2012-58 Communication (02/13/2012) from the County Engineer, transmitting for Council consideration, a traffic resolution repealing Resolution No. 54-91, Section XIII, items 25 and 33 (25 miles per hour in the Kōloa District) and establishing a new maximum speed limit of 20 miles per hour along the entire length of Maikai Street and Opu Road, Kōloa District.

C 2012-59 Communication (02/13/2012) from the Director of Finance, transmitting for Council information, the Period 6 Financial Reports – Statement of Revenues as of December 31, 2011, for Fiscal Year 2012, pursuant to Section 21 of the Operating Budget Ordinance (B-2011-732), County of Kauai.

C 2012-60 Communication (02/14/2012) from Councilmember Nakamura, providing written disclosure on the record of a possible conflict of interest relating to C 2012-54, because her spouse, Galen Nakamura, provided legal consultation to the parties involved in this matter, and thus is recusing herself from discussing or participating in the decision making regarding C 2012-54.

C 2012-61 Communication (02/16/2012) from the Director of Finance, transmitting for Council consideration, a resolution providing for the issuance of special tax revenue bonds for public facilities relating to County of Kauai Community Facilities District No. 2008-1 (Kukui'ula Development Project), for the purpose of funding the costs of public facilities relating to the District, including the costs of the Kaneioulouma Heiau Complex restoration project, public parking, improvements for Po'ipū Beach Park, and the Kōloa – Po'ipū Complete Streets

Initiative through the issuance of special tax revenue bonds payable solely from and secured solely by special taxes levied on taxable properties within the District pursuant to Chapter 26 and certain funds held in trust for the bondholders under the bond indenture.

COMMUNICATIONS:

C 2012-49 Communication (02/14/2012) from the County Auditor, transmitting for Council information the Follow-up Audit of the County of Kaua'i Building Division, Department of Public Works. **(Received for the record.)**

C 2012-62 Communication (02/14/2012) from Richard Parks, requesting agenda time to provide the Council with a follow-up on the effectiveness of the "Speed Table Traffic Calming" installation on Weke Road after five (5) years of service and of its value to the community. **(Received for the record.)**

C 2012-63 Communication (02/16/2012) from Councilmember Rapozo, requesting the Administration's presence to provide the Council with:

- An annual (2011 calendar year) synopsis of construction activity in the County of Kaua'i as reflected in the building permit information that is normally provided to the Council on a monthly basis.
- A projection of construction activity in the County of Kaua'i for the 2012 calendar year.

(Deferred to the March 14, 2012 Council Meeting.)

C 2012-64 Communication (01/27/2012) from the Chief of Police, requesting Council approval to accept and expend \$20,000.00 awarded through the Mental Health Transformation Grant to conduct training to raise awareness, identify persons at risk, and to provide tools on how to work with and engage persons at risk or diagnosed with a mental illness; and to indemnify the State of Hawai'i, Department of Health in this matter. **(Approved.)**

C 2012-65 Communication (02/02/2012) from the Chief of Police, requesting Council approval to purchase non-budgeted items with unexpended funds of approximately \$100,000.00 to purchase five (5) workstation consoles to replace aging and failing consoles in the dispatch communications center, which will be part of the 800 MHz radio system upgrade currently underway. **(Approved.)**

C 2012-66 Communication (02/23/2012) from the Council Chair, requesting the presence of Mr. Ron Shiigi, Principal for N&K CPAs, Inc. (or his designee) to discuss the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ending June 30, 2011, in particular information related to GASB Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions, and to further expand upon the figures reported in the CAFR as it relates to Nonspendable, Restricted, Committed, Assigned, and Unassigned Fund Balances. **(Received for the record.)**

C 2012-67 Request (02/23/2012) from the Office of the County Attorney for authorization to expend funds up to \$50,000.00 to retain special counsel to provide legal counsel for the County regarding development of the landfill and related matters. **(Deferred to the March 14, 2012 Council Meeting.)**

LEGAL DOCUMENT:

C 2012-54 Request from the Office of the County Attorney for approval of the Grant of Pedestrian Access Easement and Cancellation of Portion of Easement 16, made by and between Kaua'i Lagoons LLC, a Hawai'i limited liability company, and Mori Golf (Kaua'i), LLC, a Delaware limited liability company, and the County of Kaua'i, concerning property identified and being further described as Tax Map Key Nos. (4) 3-5-01:27, 172, 173, and 174.

- Grant of Pedestrian Access Easement and Cancellation of Portion of Easement 16

(Deferred to the March 14, 2012 Council Meeting.)

CLAIM:

C 2012-68 Communication (02/07/2012) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Enterprise Rent-A-Car for damage to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. **(Referred to the County Attorney's Office for disposition and/or report back to the Council.)**

COMMITTEE REPORTS: APPROVED. See below for CR-FPP 2012-01

CR-FPP 2012-01: on FPP 2012-01 Communication (02/02/2012) from Committee Chair Bynum, requesting the Administration's presence to provide an overview and status update on the current FY '11-'12 Capital Improvements Projects (CIP).
[Received for the record.] **(Deferred.)**

RESOLUTIONS:

Resolution No. 2012-24, RESOLUTION REPEALING ITEMS 25 AND 33 OF SECTION XIII, RESOLUTION NO. 54-91 (1991), AND ESTABLISHING A NEW MAXIMUM SPEED LIMIT OF 20 MILES PER HOUR ALONG THE ENTIRE LENGTH OF MAIKAI STREET AND OPU ROAD, KOLOA DISTRICT **(Approved.)**

Resolution No. 2012-25, RESOLUTION APPROVING THE ISSUANCE OF UP TO \$12,500,000 AGGREGATE PRINCIPAL AMOUNT OF SPECIAL TAX REVENUE BONDS OF THE COUNTY OF KAUAI FOR THE COUNTY'S COMMUNITY FACILITIES DISTRICT NO. 2008-1 (KUKUI'ULA DEVELOPMENT PROJECT); AUTHORIZING THE APPLICATION OF THE PROCEEDS OF THE BONDS, TOGETHER WITH CERTAIN OTHER AVAILABLE FUNDS, TO FUND THE COSTS OF CERTAIN FACILITIES RELATING TO SUCH DISTRICT; APPROVING THE FORMS OF THE BOND INDENTURE, PRELIMINARY OFFICIAL STATEMENT, BOND PURCHASE AGREEMENT AND CONTINUING DISCLOSURE AGREEMENTS RELATING TO THE BONDS; AND AUTHORIZING THE TAKING OF FURTHER ACTIONS RELATING TO THE BONDS AND THE DISTRICT **(Approved.)**

BILLS FOR SECOND READING:

Bill No. 2426 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 15A OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE KAUAI COUNTY FIRE CODE **(Approved.)**

Bill No. 2427, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 17A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO BUS FARES **(Approved.)**

Bill No. 2428 – A BILL FOR AN ORDINANCE AMENDING ARTICLE 4, SECTION 19-4.5 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO CAMPING AT LYDGATE PARK **(Approved.)**

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

Copy: Council
via e-mail: KCT Department Heads
KCT CCs
Staff